MOTION GRANTED. The Initial Case Management Conference is hereby reset to November 6, 2020 at 9:00 a.m. via telephone. All parties shall call 1-877-336-1831, and when prompted for the access code, enter 7039387# to participate in the Case Management Conference. If a party has difficulty connecting to the call or has been on hold for more than five (5) minutes please call 615-736-7344.

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

MEMPHIS CENTER FOR REPRODUCTIVE HEALTH, et al.,

Plaintiffs,

v.

HERBERT H. SLATERY III, et al.,

Defendants.

**CIVIL ACTION** 

CASE NO. 3:20-cv-00501

JUDGE CAMPBELL MAGISTRATE JUDGE FRENSLEY

## SECOND JOINT MOTION TO CONTINUE INITIAL CASE MANAGEMENT <u>CONFERENCE</u>

Plaintiffs and Defendants (jointly, the "Parties") hereby move the Court to continue for 30 days the initial case management conference presently set for October 1, 2020, with the Parties' joint proposed case management order due on September 28, 2020. Dkt. No. 45.

As grounds for a continuance, the Parties state that Defendants have appealed the July 24, 2020 Order granting Plaintiffs' Motion for a Preliminary Injunction, Dkt. No. 46, and Defendants' filed a Motion for a Stay Pending Appeal, which remains pending, Dkt. No. 47. In light of these developments, and in service of judicial economy, the Parties submit that a continuance of 30 days will allow the Parties to more fully consider their positions on a schedule for discovery and dispositive motions for a case management order, which may be affected by the resolution of the Motion to Stay. The Parties believe this will prevent the Court and the Parties from wasting unnecessary resources on preparing a case management order, which may need to be substantially revised.

For the foregoing reasons, the Parties respectfully request a continuance of the initial case management conference to November 1, 2020. Counsel for all parties have conferred and agreed to the content of this Joint Motion.

Dated: September 25, 2020

## Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that on September 25, 2020 a true and correct copy of the foregoing Joint Motion was served on the Tennessee Attorney General's Office, counsel for all Defendants, via the Court's ECF/CM system.

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<u>/s/ Thomas H. Castelli</u> Thomas H. Castelli